

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Noted on Attached Appendix

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION OF DISMISSAL WITH PREJUDICE
PURSUANT TO NEW MEXICO SETTLEMENT AGREEMENT**

The undersigned Parties (the “Parties”) have settled the above-referenced litigation against CVS Pharmacy, Inc. and CVS Orlando FL Distribution, L.L.C. (together, “CVS”) pursuant to the CVS New Mexico Settlement Agreement, executed on December 20, 2022, in which Plaintiffs – the New Mexico subdivisions listed in Appendix A – have elected to participate. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and CVS agree that all claims of Plaintiffs in the actions identified in Appendix A against CVS and the Releasees (as defined in the CVS New Mexico Settlement Agreement) are dismissed with prejudice, with each party to bear its own costs.

Dated April 24, 2023

Respectfully submitted,

ATTORNEYS FOR PLAINTIFFS

/s/Peter J. Mougey

Peter J. Mougey

Jeff R. Gaddy

Levin, Papantonio, Rafferty, Proctor

Buchanan, O’Brien, Barr & Mougey, P.A.

316 S. Baylen Street, Suite 600

Pensacola, FL 32502

850-435-7068

pmougey@levinlaw.com

jgaddy@levinlaw.com

/s/Jayne Conroy

Jayne Conroy
Simmon Hanly Conroy
112 Madison Avenue, 7th Floor
New York, NY 10016
(212) 784-6400
jconroy@simmonsfirm.com

/s/Krista Baisch

Krista Baisch
Crueger Dickinson
4532 N Oakland Avenue
Whitefish Bay, WI 53211
(414) 210-3868
kkb@cruegerdickinson.com

/s/Shayna E. Sacks

Shayna E. Sacks
Napoli Shkolnik PLLC
360 Lexington Ave.
11th floor
New York, New York 10017
(212) 397-1000
ssacks@napolilaw.com

/s/Felicia Weingartner

Felicia Weingartner
Law Offices of Felicia Weingartner
P.O. Box 7627
Albuquerque, NM 87194
(505) 842-8057
fcw@weingartnerlaw.com

/s/ Cid D. Lopez

Cid D. Lopez
Law Offices of Cid D. Lopez, LLC
500 Tijeras Ave. NW
Albuquerque, NM 87102
(505) 242-5297
cid@cidlopezlaw.com

/s/Ray Vargas

Ray Vargas
The Vargas Firm, LLC
807 Silver Ave. SW
Albuquerque, NM 87102
(505) 242-1670

ray@vargaslawfirmabq.com

**CVS PHARMACY, INC.
CVS ORLANDO FL DISTRIBUTION
CENTER, L.L.C.**

/s/ Eric R. Delinsky

Eric R. Delinsky
Alexandra W. Miller
Paul B. Hynes, Jr.
ZUCKERMAN SPAEDER LLP
1800 M Street NW, Suite 1000
Washington, DC 20036
Tel: (202) 778-1800
E-mail: edelinsky@zuckerman.com
E-mail: smiller@zuckerman.com
E-mail: phynes@zuckerman.com

SO ORDERED this ___ day of April, 2023.

Hon. Dan Aaron Polster
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter J. Mougey
Peter J. Mougey

APPENDIX A

<u>Subdivision</u>	<u>State</u>	<u>Signed With Permission</u>	<u>Jurisdiction</u>	<u>Docket Number</u>
Alamogordo City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-46067
Bernalillo County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45301
Catron County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45320
Cibola County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45321
Colfax County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45055
Curry County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45347
Dona Ana County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:18-op-46206
Eddy County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:22-op-45015
Espanola City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-46142
Grant County	NM	Napoli Shkolnik, PLLC	NDOH	1:19-op-45108
Hidalgo City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-46069
Hobbs City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-46068
Las Cruces City	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:21-op-45059
Lea County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45266
Lincoln County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45513
Luna County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45056
McKinley County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45033
Mora County	NM	Napoli Shkolnik, PLLC	NDOH	1:17-op-45080
Otero County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45216
Rio Arriba County	NM	Napoli Shkolnik, PLLC	NDOH	1:19-op-45054
Roosevelt County	NM	Napoli Shkolnik, PLLC	NDOH	1:18-op-46343
San Juan County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:18-op-45829
San Miguel County	NM	Law Offices of Felicia C. Weingartner, P.C.	NDOH	1:19-op-45354
Sandoval County	NM	Napoli Shkolnik, PLLC	NDOH	1:19-op-45421
Santa Fe County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:18-op-45776
Sierra County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45322
Socorro County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45323
Taos County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45051
Torrance County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45004
Union County	NM	Simmons Hanly Conroy/Crueger Dickinson	NDOH	1:21-op-45057
Valencia County	NM	Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr and Mougey, P.A.	NDOH	1:19-op-45324